

# EXHIBIT R

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

7th & ALLEN EQUITIES, : Civil Action  
Plaintiff, : DOCKET NO.  
v. : 5:11-cv-01567  
HARTFORD CASUALTY :  
INSURANCE COMPANY, :  
Defendants.

Tuesday, March 14, 2012

Oral deposition of PATRICK ROELS  
taken pursuant to notice, was held at the  
Allentown City Hall, 435 West Hamilton  
Street, Allentown, Pennsylvania 18101,  
beginning at 10:40 a.m., on the above  
date, before Constance S. Kent, a  
Registered Professional Reporter and  
Notary Public in and for the Commonwealth  
of Pennsylvania.

\* \* \*

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17 CITY OF ALLENTOWN  
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1                               -   -   -  
2                               I   N   D   E   X  
                              -   -   -

3    Testimony of:   PATRICK ROELS

4                   By Mr. Coleman                               5  
5                   By Mr. Kancher                              116

6  
7                               -   -   -  
8                               E   X   H   I   B   I   T   S  
                              -   -   -

9			
10	NO.	DESCRIPTION	PAGE
11	Roels-1	Unfit for Human Habitation	
12		Notice, dated July 8, 2009,	
13		Bates Allentown 0046	
14		through 0047	87



1 (It is hereby stipulated and  
2 agreed by and between counsel that  
3 sealing, certification and filing  
4 are waived and that all  
5 objections, except as to the form  
6 of the question, are reserved  
7 until the time of trial.)

8 PATRICK ROELS, having been  
9 first duly sworn, was examined and  
10 testified as follows:

11

- - -

12

E X A M I N A T I O N

13

- - -

14 BY MR. COLEMAN:

15 Q. Good morning, Mr. Roels. As  
16 you know, my name is Thomas Coleman and  
17 I'm representing Hartford Casualty  
18 Insurance Company here today. We have  
19 subpoenaed you here today and you're  
20 being represented by a city solicitor  
21 sitting to your right; is that correct,  
22 sir?

23 A. Yes.

24 Q. Could you please state your

1 coming through the ceiling. Moldy water  
2 was dripping through the ceiling and it  
3 was in the ceiling tiles.

4 Q. Were you able to perform any  
5 further inspection of the cause of the  
6 water that was entering the first floor?

7 A. Chris said there was no  
8 access to upstairs. The woman -- I'm  
9 trying to remember. She didn't want to  
10 get involved. She had something going on  
11 with her health and she was unable to --  
12 she didn't want to be bothered anymore,  
13 she just wanted to leave.

14 Q. To the best of your  
15 recollection, do you have any other  
16 memory as to what happened in connection  
17 with that particular incident or  
18 complaint?

19 A. No, but I believe at the  
20 time I said, I'm going to keep my eye on  
21 this because we were doing the whole 7th  
22 Street corridor and systematic inspection  
23 and whatnot.

24 Q. And you said keep your eye

1 on this, you mean the building in  
2 particular?

3 A. Yes.

4 Q. Okay. And why -- why did  
5 you think you needed to keep your eye on  
6 the building?

7 A. She was crying, she was  
8 hysterical. I spent time with this woman  
9 and she was definitely sick, physically.  
10 She blamed it all on this episode.

11 Q. Were you able to do any  
12 further inspection of this particular  
13 episode?

14 A. Not that I'm aware of.

15 Q. What's your next  
16 recollection of attention being called to  
17 this building -- your attention being  
18 called to this building?

19 A. Looking at my notes, that  
20 was November '07. Apparently my next  
21 entry is April of '08. Okay.

22 "April of '08. Rite Aid  
23 gets plans and permits to remodel this  
24 portion of the store possibly as a result



# EXHIBIT S

**7<sup>th</sup> and ALLEN EQUITIES, LLC**

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3000 ATRIUM WAY  
SUITE 219  
MOUNT LAUREL, NJ 08054  
(856) 273-6917 (856) 727-3559 facsimile

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VIA CERTIFIED MAIL

January 20, 2010

Carmen Dragotta  
Housing Supervisor  
Bureau of Building Standards and Safety  
City of Allentown  
641 S. 10<sup>th</sup> Street  
Allentown, PA 18103-3173

Re: 602-618 N. 7<sup>th</sup> Street, Allentown, PA

With regard to the above noted property, we are planning to tear down the building. The plans are not complete at this time. I am traveling this week and will be in touch with you next week.

Very truly yours,

*Dictated But Not Read by George M. Diemer*  
George M. Diemer  
7<sup>th</sup> and Allen Equities, LLC